

HALEY WEINBLATT & CALCAGNI, LLP
1601 Veterans Memorial Highway, Suite 425
Islandia, New York 11749
631-582-5151

January 9, 2015

Hon. Joseph F. Bianco
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

RE: United States v. Phillip Kenner
Docket Number: 13-607 (JFB)

Dear Judge Bianco:

In order to access the Rule 16 discovery previously provided by the government on two (2) terabyte size hard drives which contain computer files copied from the defendant's Apple MacBook Pro computer, I have researched with the assistance of a technical adviser the purchase of a similar Apple MacBook Pro computer with associated software which we believe will allow the defendant to access the information on the two portable hard drives. Based on previous communications with Warden Zerillo of the Queens Private Correctional Facility, as confirmed by the government, Warden Zerillo will allow a newly purchased laptop computer to be used solely by the defendant which will be secured in the facility law library when not in use. As reflected in the attached quotes, the cost of purchase is as follows:

– Apple MacBook Pro	- \$1,162.08
– CDW Hardward Installed	- \$ 17.95
– MacBook Office Software	-\$ 219.99

TOTAL ESTIMATED COST- \$1,400.02

If Your Honor approves the expenditure as set forth on the attached CJA Form 21 voucher, I will purchase the MacBook Pro computer and associated software and later seek reimbursement as CJA counsel for the expenditure from CJA funds. Previously, I communicated with Kellly Scribner of the CJA National Litigation Support Office who advised that her office did not possess a MacBook Pro computer and that I should seek court approval for such a purchase to be paid from CJA funds. At the conclusion of the case, the MacBook Pro computer will be delivered to the CJA National Litigation Support Office and purged of information relative to this case for use by other CJA counsel.

Please be advised that the attached invoices reflect price quotes on “Ebay” and constitute a competitive price for an Apple MacBook computer (500 GB HDD) and associated software. I am advised that additional software may be downloaded on line, *i.e.* Adobe Acrobat software, once the computer is purchased without additional cost.

Very truly yours,

Richard D. Haley

RICHARD D. HALEY

SO ORDERED:

U.S.D.J

cc: AUSA James M. Miskiewicz via ECF
AUSA Saritha Komatireddy via ECF